



## Ohio Gun Owners

### 2024 OGO State Legislative Candidate Survey

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### Question 1

Emergency Risk Protection Order or 'Red Flag' laws would allow judges to order the confiscation of a citizen's firearm(s) based on hearsay evidence, in court hearings where the accused may not even be allowed to testify on their behalf. In practice, these laws create a process to strip away a citizens' firearms and rights who have not been convicted of any crime with no due process and no ability for them to defend themselves in court of law - as we have seen in states like Indiana, Florida and scores of other states.

If elected, would you oppose any Emergency Risk Protection Order or 'Red Flag' gun law that violates civil rights, strips gun owners of their Second Amendment freedoms, and does nothing to stop violent criminals?

### Question 1 Answer

Yes

### Question 2

Ohio's self-defense law leaves much to be desired. Although Ohio removed the duty-to-retreat in 2021 when SB175 was signed into law, Ohio law still allows anti-gun prosecutors to bring politically motivated charges against a citizen who was forced to use a firearm in self-defense, thus victimizing them a second time (as happened to Kyle Rittenhouse, Mark McCloskey, etc). For example, current law does not provide for pre-trial immunity hearings or provide an enactment clause so that a citizen can invoke stand-your-ground protections. Nor does Ohio law legally recognize the "threatened use of force," which is an important de-escalation tool in potentially life-threatening situations.

If elected, would you support strengthening Ohio's self-defense laws so that Ohioans may defend themselves against criminal attack without fear of political retribution from an activist prosecutor?

### Question 2 Answer

- Co-Sponsor

### Question 3

Our Constitutional Carry law leaves much to be desired. For example, the law fails to allow lawful Ohioans the ability to conceal and carry any legally possessed weapon for self-defense, rather than only handguns under the current law. By creating a Concealed Weapons License (CWL), it would restore Ohioans' ability to carry shotguns and rifles in their vehicles, the same way current CHL or 'qualifying adults' may carry handguns in their vehicles currently.

If elected, would you support strengthening Ohio's Constitutional Carry law to give gun owners in Ohio the freedom to carry whatever legal self-defense tool that they choose, and allow Ohio citizens the ability to carry shotguns and rifles in their vehicle?

### Question 3 Answer

- Co-Sponsor

### Question 4

Almost every legislative candidate will say "I support the Second Amendment" but not all will stand firmly against new and invasive forms of gun control, especially when "compromises" are offered.

Will you publicly oppose all methods of gun control, including those that the media calls "reasonable," including but not limited to laws that disallow those with simple misdemeanor convictions from owning and carrying guns, increasing the minimum age of those who carry guns for self-defense, new taxes on ammunition, and new ways to track guns and gun owners?

### Question 4 Answer

Yes

### Question 5

Gun control advocates hype the false idea that certain cosmetic features make some semi-automatic firearms or high-capacity magazines "different" than others. Media hysteria has led to the misperception that semi-automatic firearms are so-called "assault weapons." All semi-automatic firearms function essentially the same, as do all magazines. The federal ban on "assault weapons" expired in September 2004, and Ohio has eliminated its own restrictions on magazine capacity, but some in Ohio are trying to make these firearms illegal here by state law.

Do you oppose legislation banning the manufacture, sale or possession of semi-automatic firearms and/or large-capacity magazines, recognizing that these restrictions do nothing to stop crime but only serve to harass gun owners?

### Question 5 Answer

Yes

### Question 6

In 2021, the State of Missouri passed the Second Amendment Preservation Act, otherwise known as SAPA, which prohibits the Federal government from 'commandeering' state and local law enforcement to enforce federal gun laws. House Bill 51 was introduced in Ohio this General Assembly and has majority support within the House Republican Caucus. Interest in this legislation has exploded across the grassroots gun owner community, and states across America are moving this legislation as well.

Would you support Second Amendment Preservation Act legislation here in Ohio (like HB51), which simply prohibits the federal commandeering of state and local cops for gun control enforcement and imposes civil penalties on those departments that violate SAPA?

### Question 6 Answer

- Co-Sponsor

### Question 7

Anti-gun organizations, often funded with out of state resources, have been clamoring for legislation to end all private party sales in Ohio – and go so far as to make it a felony for family members to pass firearms down to the next generation without submitting to a federal NCIC check, thereby adding themselves and the firearm to a federal list.

Do you oppose Bloomberg’s “Universal Gun Registration” legislation that would ban all private party sales and label offenders as felons for simply passing down a family firearm to a descendant or sharing a firearm with a friend while on a hunting trip?

**Question 7 Answer**

Yes

**Question 8**

Mental health has become a back door for gun control by expanding the criteria for voluntary and involuntary mental health commitments, adding more and more people to the NCIC ‘prohibited persons’ list often without due process and full adjudication by a court of law. Once a person’s name is placed on this list, it is virtually impossible to have it removed. Legislation has been introduced multiple times in recent years that would greatly expand the range of people who would be able to add a person’s name to the prohibited person’s list, including “Red Flag” legislation that would strip gun owners of their Second Amendment Rights without due process.

Would you oppose all so-called “mental health” legislation that would deny law abiding Ohioans their gun rights without due process through a court of law?

**Question 8 Answer**

Yes

**Question 9**

Most mass shootings happen in so-called “Gun-Free” areas where law-abiding citizens are forced to disarm, which quite literally has resulted in violent criminals targeting these sites. This prevents otherwise law-abiding citizens from defending themselves, their loved ones and innocent citizens around them.

If elected, would you support legislation to eliminate restrictions on law-abiding gun owners from carrying a firearm in certain so-called “Gun-Free” areas, otherwise known as “Criminal Safe Zones?”

**Question 9 Answer**

- Co-Sponsor

**Name (As it will appear on the ballot)**

Daniel Kalmbach

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**District Number**

69

**Chamber**

Ohio House

**Party Affiliation**

Republican

**E-Signature**

✓ I have truthfully answered the questions above and they accurately reflect my positions on the Second Amendment

**Date**

02/15/2024

**Signature**

David K. O'Neil